IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(*Special Original Jurisdiction*)

THURSDAY, THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND SIX

P R E S E N T

THE HON'BLE SRI JUSTICE P.S. NARAYANA

* * *

WRIT PETITION No.11298 of 1999

Between:

M.Shahjahan s/o.M.Nabi Sab, aged about 52 years,
0cc. Service r/o./H.No.1-143-56/1 (new no.1/1564)
Gandhinagar, Yemmiganur, Kurnool district. … Petitioner

Versus

The Commissioner,
Yemmiganur Municipality,
Kurnool district. … Respondent

Counsel for the Petitioner: M/s.P.Shivkumar

Counsel for the Respondents: GP for Municipalities

O R D E R :

WPMP.No.32443 of 2006

Heard the learned counsel. In view of the facts and circumstances of the case, the default order dated 05-7-2006 is set aside and the main writ petition is hereby restored.

WRIT PETITION No.11298 of 1999

O R D E R

The writ petition is filed to declare the action of the respondent in demolishing the building of the petitioner bearing no.1-143-56/1 situated at Gandhinagar, Yemmiganur, Kurnool district and digging an open drainage through the petitioner's premises as illegal and pass such other suitable orders.

Several factual details are narrated in para nos. 2, 3, 4, 5 and 6 of the affidavit filed in support of the petition.

The main grievance of the petitioner is that without following due process of law, the respondent is resorting to demolition activity in question.

In view of the same, the writ petition is disposed of directing the respondent-officials not to demolish the petitioner's premises bearing no.1-143-56/1 without following due process of law.

The writ petition is disposed of accordingly. No order as to costs.

DECEMBER 07th, 2006. ----------

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l s L. P.S. NARAYANA, J.